

Remarks/Arguments

Reconsideration of this application is requested.

Extension of Time

A request for a two month extension of the period within which to respond to the office action mailed on June 4, 2008 is enclosed. The extended period for response expires on November 4, 2008.

Finality of Office Action

Applicant notes that the Office Action of June 4, 2008 is a first action final after a request for continued examination. The Examiner has provided no explanation as to why the Action has been made final, as is required under MPEP 706.07(b). Moreover, applicant's response of March 24, 2008 included significant claim amendments that likely would have been denied entry after final without an RCE. Therefore, applicant submits that the finality of the Office Action of June 4, 2008 is improper, and that it should be withdrawn and made non-final.

Claim Status

Claims 1, 4 and 5 are pending. Claim 1 is amended.

Claim Rejections

Claims 1, 4 and 5 are rejected under 35 USC 103(a) as obvious over Hirota (JP 2002-260615). In response, applicant traverses the rejections and amends claim 1 to clearly distinguish over Hirota.

The present invention is directed to a battery cell 2 having a connector 9 attached to a circuit board 3. As shown in FIGs. 3 and 4, connector 9 includes a resin path 14 extending therethrough along the side of battery cell 2. This feature creates a continuous resin path 14 along cavity 31 through connector 9 and along cavity 32 along one side of battery cell 2 such that resin can be continuously formed through the internal cavity of connector 9. However, to an outside observer, a molded portion 4 appears to be divided by connector 9 (page 7, line 23 to page 8, line 3 and Fig. 1). In this manner, the resin can be prevented from sticking to the sides of connector 9 and external connecting terminal 12 (FIG. 1) since resin can flow

smoothly through the resin path to effectively and reliably form a continuous and integrally formed molded resin portion. Furthermore, a continuous resin path formed through connector 9 on a side of the battery cell increases the attachment strength of resin 4 to battery cell 2 (paragraph 9, lines 23-25). Hirota fails to disclose or suggest these features.

To emphasize this feature, claim 1 is amended to recite:

...a connector having a resin path extending therethrough along the side of the battery cell, wherein the connector is provided on the circuit board, the resin path is provided between the connector and the circuit board ...

Hirota discloses resin molded integrally by a circuit board and resin (Abstract and FIGs. 1-3 and 5). However, a resin path extending through a connector along the circuit board 5 side of battery 2 is clearly not disclosed. Instead, Hirota merely teaches an insertion point 6a of connector 6 that connects to a telephone connection part. Only a single isometric perspective of connector 6 is shown such that a resin path through connector 6 is not disclosed. Furthermore, when resin is molded to connector 6 and battery 2 (FIGs. 1 and 5), the outline of connector 6 is not shown, indicating that connector 6 is covered by resin 3. Therefore, Hirota integrally molds a circuit board and resin by injecting resin over the sides of connector 6 and not through the connector. Thus, a resin path through connector 6 is not shown or suggested by Hirota.

Since Hirota does not disclose or suggest each and every feature of claim 1, claim 1 and claims 4 and 5 dependent thereon are not obvious over Hirota. The rejections of claims 1, 4 and 5 under 35 USC 103 should therefore be withdrawn.

Conclusion

This application is now in condition for allowance. The Examiner is invited to contact the undersigned to resolve any issues that remain after consideration and entry of this amendment.


Appl. No. 10/810,212
Amdt. dated November 4, 2008
Reply to Office Action of June 4, 2008

Atty. Ref. 81922.0008
Customer No. 26021

Any fees due with this response may be charged to our Deposit Account No.
50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

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